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## Appeal Decision

Site visit made on 7 July 2015

**by Anthony Lyman BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5 August 2015**

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**Appeal Ref: APP/A4520/W/15/3013649**  
**2 Central Gardens, South Shields, NE34 6BA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Karen Hudson against the decision of South Tyneside Council.
  - The application Ref ST/0058/15/FUL, dated 23 January 2015, was refused by notice dated 1 April 2015.
  - The development proposed is a new boundary wall to Central Gardens elevation.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. The appeal property is a new dormer bungalow which, at the time of my site visit, was in the final stages of construction. The site was formerly occupied by a detached bungalow, the demolition of which was included in the planning application for the approved new dwelling. The proposal is to erect a new boundary wall across the frontage of the property.
4. Central Gardens is an established residential area mostly comprising detached and semi-detached bungalows. The predominant characteristic of the street scene is one of openness with the bungalows set behind gardens and low, front boundary brick walls, a limited number of which are surmounted by open railings. The appeal plot originally had a similar low boundary wall with railings across most of the frontage of the bungalow, although near the corner with Central Avenue a short length of this front wall (now demolished) was said to be about 1.8m high. The appellants wish to provide privacy to their front garden by building a solid brick wall approximately 1.8m high at the back of the pavement on Central Gardens, across the full width of the property's frontage. The wall would be stepped to accommodate the slightly sloping ground and would incorporate a timber gate of similar height.
5. The appellants argue that the wall would enhance the appearance of the area compared to the original wall which, it is claimed, had been patched up and

partly rebuilt using different bricks. I am not persuaded by this argument. A high solid brick wall across the frontage of the property would be a prominent and incongruous feature which would significantly harm the open and established character of Central Gardens. It would appear discordant in the street scene and could make it difficult for the Council to resist other such proposals elsewhere in Central Gardens, thereby potentially eroding further the open character of the area.

6. There are some high boundary walls in the area, such as the one opposite the appeal property. However, that wall appeared to be along that property's side boundary to Central Gardens, similar to the high side wall of the appeal property along its boundary with Central Avenue. The appellants assert that *it appears most likely that the property was originally enclosed by a 1.8m solid wall* and that subsequently part of the wall was converted to include railings. Little evidence has been submitted to substantiate this argument and, given the characteristic low front boundary walls throughout Central Gardens, I find that the argument is unconvincing and carries little weight.
7. The proposed high wall across the front of the property would harm the attractive open character and appearance of Central Gardens. By failing to convey sensitive consideration of its surroundings, and by not enhancing its local setting, the development would be contrary to the objectives of Policy DM1 of the South Tyneside Local Development Framework - Development Management Policies. The proposed wall and its detrimental visual impact on the area would also fail to accord with the high design standards and objectives of the Council's Supplementary Planning Document 9 – *Householder Developments*.
8. Therefore, for the reasons given and having had regard to all other matters raised, the appeal is dismissed.

*Anthony Lyman*

INSPECTOR